

ZUKERMAN GORE & BRANDEIS, LLP

875 THIRD AVENUE NEW YORK, NEW YORK 10022

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TELEPHONE 212 223-6700 • FACSIMILE 212 223-6433

**MEMO ENDORSED**

June 12, 2007

By Federal Express

The Honorable Denise Cote  
United States District Judge  
United States District Court  
Southern District of New York  
500 Pearl Street  
New York, New York 10007

Re: Citrin Cooperman & Co. LLP v. Schemitsch, 07 Civ. 3269 (DLC)

Dear Judge Cote:

We are counsel to Citrin Cooperman & Co., LLP in the above-referenced action, in which we today received notice of an initial pretrial conference to be held on July 13, 2007. The undersigned, who is trial counsel, has a conflict on that date owing to a previously scheduled third-party deposition in another matter for which the undersigned is required to conduct the examination. Given the history on that other matter, it would be difficult to reschedule that deposition. Consequently, pursuant to Your Honor's order setting the conference, we have conferred with Guy Barbieri, Esq., who is counsel to the defendant, and have identified Friday, August 3, 2007 as a date on which both of us are available to attend a conference, subject of course to that date being available and convenient for the Court. Mr. Barbieri consents to an adjournment to that date.

Accordingly, we respectfully request that the Court adjourn the initial pretrial conference in this matter to August 3, 2007 at a time convenient to the Court. If that date should turn out to be unacceptable, we would request that the Court so advise us so that we can look for a different date.

Respectfully,

John K. Crossman

cc: Guy Barbieri, Esq. (by E-mail and mail)

CONFERENCE IS ADJOURNED  
TO AUGUST 3 AT 9:30 AM.  
John K. Crossman  
June 13, 2007